

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARLES TURNER,

2:05-CV-1153 JCM (LRL)

Plaintiff,

Date: N/A
Time: N/A

V.

JOHN POTTER, Postmaster
General, et al.,

Defendants.

ORDER

17 Presently before the court is defendants' motion for summary judgment (#25). Defendant
18 has failed to submit admissible evidence in support of arguments made in his motion for summary
19 judgment. *See Orr v. Bank of America*, 285 F.3d 764 (9th Cir. 2002).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that defendants' motion for summary judgment (#30), be, and the same hereby is, DENIED.

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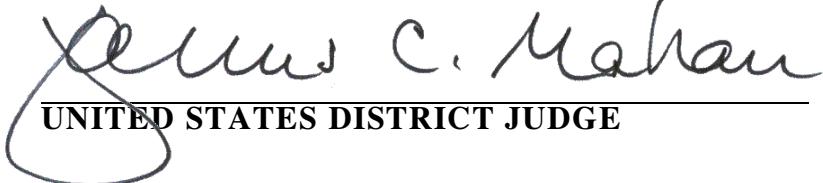
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the hearing scheduled
2 for September 14, 2006, be, and the same hereby is, VACATED.

3 DATED this 11th day of September, 2006.

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James C. Mahan

6 **UNITED STATES DISTRICT JUDGE**

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